

Wetlands Applications Decision Report

Decisions Taken
03/30/2020 to 04/05/2020

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.



4/7/2020

03/30/2020 to 04/05/2020

PERMIT CATEGORY: MAJOR IMPACT PROJECT

2017-01070 OWNER: NH DEPT OF TRANSPORTATION

CITY: ANDOVER WATERBODY: MORRILL HILL MARSH PRIME WETLAND

Requested Action:

Retain a total of 595 square feet, including 234 square feet permanent and 361 square feet temporary, within the bed and banks of an unnamed stream (Tier 3) impacting a total of 27 linear feet to replace an existing failed 41 foot x 48 inch CMP culvert with a 50 foot x 48 inch CMP culvert within the same general footprint on NH Route 11. Emergency Authorization issued April 18, 2017.

Conservation Commission/Staff Comments:
No ConComm comments on file.

APPROVE AFTER THE FACT

Retain a total of 595 square feet, including 234 square feet permanent and 361 square feet temporary, within the bed and banks of an unnamed stream (Tier 3) impacting a total of 27 linear feet to replace an existing failed 41 foot x 48 inch CMP culvert with a 50 foot x 48 inch CMP culvert within the same general footprint on NH Route 11. Emergency Authorization issued April 18, 2017.

With Conditions:

1. All work shall be in accordance with plans and all descriptive details by NHDOT dated October 24, 2017, as received by the NH Department of environmental Services on January 11, 2019.
2. Any further alteration of NHDES Wetlands Bureau jurisdictional areas on this property will require a new application and further permitting by the NHDES Wetlands Bureau.

With Findings:

1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(f), as it is located within and adjunct to municipally designated prime wetlands, designated under RSA 482-A:15.
2. NHDES issued an Emergency Authorization on April 18, 2017 to replace the existing culvert due to roadway failure.
3. The Morrill Hill Marsh Prime Wetland was designated in 1989 by the Town of Andover and approved by NHDES.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. In accordance with NH Administrative Rule Env-Wt 904.04(f)(2), compensatory mitigation is not required for this project. The applicant has demonstrated that this replacement of this Tier 3 Stream Crossing met all applicable requirements when originally installed and meets the requirements of Env-Wt 904.08.
7. The Andover Conservation Commission did not submit comments to the NHDES Wetlands Bureau.
8. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-0444) stated that there were no recorded occurrences for sensitive species near this project area.
9. No comments of concern were received by NHDES from abutters or local governing organizations.
10. In accordance with RSA 428-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

2018-00466 OWNER:

03/30/2020 to 04/05/2020

OWNER: BAYKO, JASON/TARA

CITY: WOLFEBORO WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

The applicant requests that the permit be amended to reflect the appropriate revised plan date.

APPROVE AMENDMENT

Dredge 38 cubic yards from 1,140 square feet of lakebed and impact 1,614 square feet of bank along 94 linear feet of shoreline to construct a 25 foot x 31 foot dug in boathouse with a 7 foot x 17 foot bump-out and a 4 foot x 65 foot walkway around the north and west sides, a dredged access channel, an h-shaped piling pier composed of two 6 foot x 30 piers connected by a 6 foot x 12 foot walkway accessed by a 6 foot x 22 foot walkway with 15 foot x 30 foot seasonal canopy, and construct a 900 square foot perched beach with 4 foot wide steps to the water, with on an average of 349 feet frontage on Lake Winnepesaukee in Wolfeboro.

With Conditions:

1. All work shall be in accordance with perched beach plans by Beckwith Builders, Inc. dated February 21, 2018 as received by the NH Department of Environmental Services (DES) on March 26, 2018 and docking structure plans dated February 20, 2018 as revised on August 13, 2019 as received by the NH Department of Environmental Services (DES) on August 22, 2019.
2. This amended permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. The permittee shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. Prior to construction, the permittee shall submit a copy of the recorded covenant to the DES Wetlands Program by certified mail, return receipt requested.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
12. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
13. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation (Elevation 504.32) to achieve 3 foot water depth levels in the slip areas.
14. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
15. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
16. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
17. The steps installed for access to the water shall be located completely landward of the normal high water line.
18. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
19. Any future beach replenishment shall require a new permit.

20. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
22. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.
23. The dug in boathouse shall be a single-story structure; ridgeline not to exceed 20 feet in height (Elevation 524.32) above normal high water (Elevation 504.32).
24. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
26. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
27. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility providing five boat slips and Rule Env-Wt 303.02(g) dredge of more than 20 cubic yards.
2. The applicant has an average of 349 feet of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

2019-02596 OWNER: ONE HOME BUILDERS II LLC

CITY: DOVER WATERBODY: COCHECO RIVER

Requested Action:

Impact 1,673 square feet within the undeveloped tidal buffer zone to construct a pathway to an existing docking structure. Compensatory mitigation includes a 14,905 square foot planting plan within previously-cleared areas of the tidal buffer zone and protected shoreland which will be monitored annually for three years.

APPROVE PERMIT

Impact 1,673 square feet within the undeveloped tidal buffer zone to construct a pathway to an existing docking structure. Compensatory mitigation includes a 14,905 square foot planting plan within previously-cleared areas of the tidal buffer zone and protected shoreland which will be monitored annually for three years.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering dated July 15, 2019 and revised through March 03, 2020, last received by the NH Department of Environmental Services Wetlands Bureau (NHDES) on March 11, 2020.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify NHDES and the Dover Conservation Commission in writing of the date on which work under this permit is expected to start.
3. The schedule for the planting plan for compensatory mitigation shall coincide with site construction unless otherwise authorized by the NHDES Wetlands Bureau.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and

further permitting.

5. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rules Chapter Env-Wq 1400 during and after construction.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rules Chapter Env-Wq 1700.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
9. Native vegetation within an area of at least 3,942 square feet of the Natural Woodland Buffer located between 50 feet and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b)(2).
10. No more than 5.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from the NHDES.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

MITIGATION / MONITORING

17. Within 60 days of completing the mitigation project, the applicant shall submit a post-construction monitoring report, documenting the conditions of the replanted buffer and shoreland area.
18. The permittee or permittee's contractor shall conduct a follow-up inspection in October or November following the first three growing seasons to review the success of the planting area and schedule remedial actions if necessary.
19. Annual reports shall be submitted by December 31st each year to NHDES Wetlands Bureau including photographs, relative success of the plantings and any notable changes to the project area.
20. Areas planted for compensatory mitigation shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or they shall be replanted and re-established until successfully replicated in a manner satisfactory to the NHDES Wetlands Bureau.
21. Areas planted for compensatory mitigation shall not be considered successful if invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species during this same period.
22. Failure to complete the enhancement of 14,905 square feet of vegetation within the tidal buffer zone and the protected shoreland for compensatory mitigation in accordance with plans received by NHDES on March 11, 2020 constitutes a violation of RSA 482-A.

With Findings:

1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(b), projects within 100 feet of the highest observable tide line that alter any bank, flat, wetlands, surface water, or undeveloped uplands, except for repair of existing structures pursuant to New Hampshire Administrative Rule Env-Wt 303.04(v).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The proposed pathway has been designed to minimize ground disturbance. No tree or stump removal will occur within the 50-foot waterfront buffer. There is no disturbance proposed on the river bank.
4. Compensatory mitigation includes a 14,905 square foot planting plan within previously cleared areas of the tidal buffer zone and protected shoreland.
5. The project will result in a net increase of 3.1% impervious area within the protected shoreland. The percentage of the lot to be covered by impervious area within 250 feet of reference line post-construction will be 5.6%.
6. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
7. The NH Natural Heritage Bureau (NHB) has record of an exemplary natural community within the vicinity of the project (NHB19-1892).

8. In correspondence dated July 30, 2019, NHB stated that because there is no impact to wetlands and no work in tidal wetlands, there are no comments or concerns associated with the proposal.
9. In correspondence dated February 27, 2018, the NH Division of Historical Resources determined that no historic properties will be affected by the project, as proposed.
10. The project is located within a Designated River Corridor. The Cocheco River Local Advisory Committee was notified of the proposed project on August 06, 2019.
11. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine, marine, and estuarine resources, as identified under RSA 482-A:1.

2019-03807 OWNER: NH DEPT OF TRANSPORTATION

CITY: CORNISH WATERBODY: CONNECTICUT RIVER

Requested Action:

Dredge and fill a total of 27,601 square feet/309 linear feet, including 18,953 square feet/508 linear feet of temporary impacts, for access and installation of scour protection measures to address concerns with erosion and scour around the existing bridge pier and abutments of the Cornish Toll Road Covered Bridge over the Connecticut River.

Conservation Commission/Staff Comments:
CRJC MT Ascutney committee intends to submit comments post-meeting on 4/14/20.

APPROVE PERMIT

Dredge and fill a total of 27,601 square feet/309 linear feet, including 18,953 square feet/508 linear feet of temporary impacts, for access and installation of scour protection measures to address concerns with erosion and scour around the existing bridge pier and abutments of the Cornish Toll Road Covered Bridge over the Connecticut River.

With Conditions:

1. All work shall be in accordance with plan sheets for Cornish Toll Bridge Road Over Connecticut River, A0003(035), NH Project No.25067 for the Department of Transportation as received by the Department on December 10, 2019.
2. The permittee shall schedule a pre-construction meeting with NHDES Land Resources Management Program staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit and determine specific work timeframes. The meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
3. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. Turbidity in the Connecticut River during all in-water work associated with installation of the center pier scour protection shall be monitored and controlled in accordance with the Turbidity Sampling and Control Plan dated December 5, 2019 for Cornish 25067.
6. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
12. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species (such as Oriental Bittersweet, Purple Loosestrife, Knotweed, or Phragmites). The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for the Control of Invasive and Noxious Plant Species (2018).
13. All temporary impacts shall be restored to pre-construction conditions and planted with native species similar to those within the wetland prior to impact.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Major Project per NH Administrative Rule Env-Wt 903.01(g)(1), as the project is a repair of a Tier 3 stream crossing having a 4,626 square mile contributing drainage area.
2. The purpose of the project is to protect existing infrastructure. The project proposes installation of two types of countermeasures for scour protection for the Cornish Toll Road Covered Bridge over the Connecticut River. NHDOT Class A & B Stone Fill installation is proposed at selected bank locations and at the central pier. The project requires 8,262 square feet of permanent impacts to the Connecticut River (R2UB1/2H) channel with Class A & B Stone Fill or PGR along 386 linear feet of banks. The project includes 18,953 square feet of temporary impacts for construction access and installation of erosion and sedimentation controls.
3. The 2-span historic covered bridge is currently coded scour critical and considered vulnerable to erosion/scour during severe flood events. The applicant has considered the 'no-build' alternative, entire replacement of the existing bridge and foundations alternative, and the selected scour protection alternative. The partially grouted riprap was selected as it allows the use of less stone and smaller diameter stone resulting in less bed preparation.
4. The applicant has proposed an Alternative Design with Technical Report in accordance with Env-Wt 904.09 for repairs to the existing Tier 3 stream crossing structure. The applicant has addressed General Design considerations in accordance with Env-Wt 904.01.
5. The applicant's engineer has determined that based on a hydraulic model prepared to study the impacts of the proposed action, and it was determined that the effects of the proposed fill on the floodway are negligible.
6. The NH Natural Heritage Bureau NHB Datacheck Results letter (NHB19-1049) dated April 8, 2019 identified multiple invertebrate species, plant species, and vertebrate species in the project vicinity. A habitat evaluation was completed within the project area for stat listed plants and no individual species or localized populations were observed. There are no adverse effects anticipated to state listed plants or their potential habitat, state listed wildlife, federally listed species, or fisheries by the proposed project.
7. The United States Department of Interior, Fish and Wildlife Service letter dated July 24, 2018 concluded suitable dwarf wedge mussel habitat does not occur in the project area. Chance of dwarf wedge mussels occurring in the project area was discountable based on one individual found. Hydraulic changes caused by use of cofferdams and other project activities would have insignificant if any impacts on dwarf wedge mussels and their habitat.
8. The U.S Coast Guard has concluded that although a bridge permit will not be required for the project, other stipulations must be met per letter dated October 4, 2018.
9. Parties to the Section 106 process have been consulted and their concerns have been taken into account. Requirements of Section 4(f) have been satisfied per NHDOT No Adverse Effect Memo.
10. The project was reviewed under the FHWA Programmatic Consultation for Northern Long-eared Bat. It was determined that the proposed project is likely to affect the northern long-eared bat due to active season tree clearing. The USFWS confirmed that the project is consistent with the Programmatic Biological Opinion and is therefore not likely to jeopardize the continued existence of the northern long-eared bat.
11. The project is located within a Designated River Corridor. The CRJC Mount Ascutney Local River Subcommittee held a public meeting on the night of Tuesday, January 14, 2020 in Windsor Vermont. During this meeting, representatives had the opportunity to review the Dredge and Fill Application, Cornish-Windsor, Cornish Covered Bridge, 25067. The representatives

agreed that the requested work, a scour countermeasure, is appropriate and adequate. Thus, the LRS shares its support for the project without further comment.

12. In accordance with New Hampshire Administrative Rule Env-Wt 302.03 (c)(2)c. and (d) compensatory mitigation is not required as the project involves only rip rap or other bank stabilization to protect existing bridge infrastructure, and temporary impacts.

2020-00276 OWNER: MARK L MURPHY REVOCABLE TRUST OF 2003

CITY: TUFTONBORO WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Remove an existing "U" shaped docking structure and construct three 6 foot x 30 foot piling piers connected by a 6 foot x 42 foot walkway in a "W" configuration, install 3 tie-off pilings, two 3-pile ice clusters, a 14 foot x 30 foot seasonal canopy, a single permanent boatlift, and two seasonal personal watercraft lifts, and impact 760 square feet of bank along 30 linear feet of shoreline to construct a 24 foot x 19 foot semi-circular shaped perched beach with 4 foot wide water access steps on 916 feet of frontage along Lake Winnepesaukee on Helen Island in Tuftonboro.

Conservation Commission/Staff Comments:
03/11/20 per ConCom. We have no objections to the issuance of this permit.

APPROVE PERMIT

Remove an existing "U" shaped docking structure and construct three 6 foot x 30 foot piling piers connected by a 6 foot x 42 foot walkway in a "W" configuration, install 3 tie-off pilings, two 3-pile ice clusters, a 14 foot x 30 foot seasonal canopy, a single permanent boatlift, and two seasonal personal watercraft lifts, and impact 760 square feet of bank along 30 linear feet of shoreline to construct a 24 foot x 19 foot semi-circular shaped perched beach with 4 foot wide water access steps on 916

feet of frontage along Lake Winnepesaukee on Helen Island in Tuftonboro.

With Conditions:

1. All work shall be done in accordance with revised plans by Terrain Planning and Design LLC., revision dated February 3, 2020, as received by the NH Department of Environmental Services (NHDES) on February 18, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Carroll County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. If a permanent dock is not maintained so as to be usable for its intended purpose, the owner of the subject property shall remove the dock in accordance with 513.22(c).
4. Pilings shall be spaced at least 12 feet apart, as measured from the center of each piling in accordance with Env-Wt 513.15(c).
5. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision as required pursuant to Env-Wt 314.02.
6. The seasonal canopy and any seasonal lifts shall be installed after ice-out and removed prior to ice-in accordance with Env-Wt 513.19(d) and Env-Wt 513.22(b)(1), respectively.
7. In accordance 513.19(b), the seasonal canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season.
8. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
9. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
10. No more than 20 cubic yards of sand shall be used and all sand shall be located above the normal high water line in accordance with Env-Wt 511.06(b) and Env-Wt 511.02(b)(1).
11. Steps for access to and from a water access structures shall not exceed 6 feet in width and shall be constructed or installed such that all portions of the steps are landward of the normal high, in accordance with Env-Wt 511.04(f).
12. Revegetation of the disturbed area by planting trees, shrubs, and ground covers shall represent the density and species

diversity of the existing stand of vegetation removed for the project; and begin at a distance no greater than 5 feet landward from the water access structures footprint, in accordance with Env-Wt 511.05(b).

13. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

14. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).

15. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).

16. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.

17. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas and such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

18. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

1. The project is classified as a major impact per Rule Env-Wt 511.06(c), the aggregate area impacted by water access structures exceeds 500 SF.

2. The impacts that take place within Lake Winnepesaukee are classified as minor impacts in accordance with Env-Wt 513.24(b), therefore, the department is not required to submit the proposed permit to the governor and executive council as required by RSA 482-A:3, II(a) and in accordance with Env-Wt 313.02(b)

3. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

PERMIT CATEGORY: MINOR IMPACT PROJECT

2019-01758 OWNER: GREAT BAY MARINA

CITY: NEWINGTON WATERBODY: BROAD COVE-PISCATAQUA RIVER

Requested Action:

Maintenance dredge 600 square feet (300 cubic yards) of accumulated sediments from within the boat launch area and placement of approximately 60 linear feet (340 square feet) of rip-rap for the reconstruction of an existing deteriorated rip rap seawall.

APPROVE PERMIT

Maintenance dredge 600 square feet (300 cubic yards) of accumulated sediments from within the boat launch area and placement of approximately 60 linear feet (340 square feet) of rip-rap for the reconstruction of an existing deteriorated rip rap seawall.

With Conditions:

1. All work shall be in accordance with plans by Civilworks New England dated May 8, 2019, and revised through September 23, 2019 as received by the NH Department of Environmental Services (NHDES) on October 3, 2019.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify David.Price@des.nh.gov at the NHDES Wetlands Bureau and the Newington Conservation Commission in writing of the date on which work under this permit is expected to start.
3. There shall be no further maintenance dredging of sediment at any tide level, either on or adjacent to the boat ramp, beyond the one occurrence permitted herein.
4. Dredging in tidal waters shall be done between November 15 and March 15, and shall not be permitted during a fish migration or larval setting stage of shellfish.
5. Work shall be done during periods of low tide only.
6. Equipment used for rip-rap placement shall be done from the landward side and no equipment shall be located below highest observable tideline.
7. Any stone used in the construction or repair of a revetment shall be of suitable size and weight to assure that the structure is stable and will withstand tidal river wave energy anticipated at this location.
8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. All dredged material shall be placed outside of the areas subject to RSA 482-A.
11. Dredged material to be stockpiled in uplands shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside jurisdiction to prevent water quality degradation.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:

1. This is a major impact project per New Hampshire Administrative Rule Env-Wt 303.02(a) projects in sand dunes, tidal wetlands, or bogs, except for repair of existing structures pursuant to Env-Wt 303.04(v).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) & (c), Requirements for Application Evaluation, has been considered in the design of the project.
4. Accumulated sediment from within the boat launch area is causing a hazard to public safety and the existing rip-rap seawall is deteriorated and requires reconstruction.
5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB19-1059 with records of sensitive natural communities and vertebrate species within the vicinity of the project. Further review by NHB and NH Fish and Game Department finds no concerns with the proposal.
6. No comments of concern were received by the NHDES from abutters or local governing organizations.
7. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

2019-03030 OWNER: NICKERSON, LAURIE/STEPHEN

CITY: NOTTINGHAM WATERBODY: PAWTUCKAWAY POND

Requested Action:

Impact 632 square feet of bank along 15.8 feet of shoreline to construct an elevated beach with 4 foot wide stairs to the lake on an average of 80 feet of frontage along Pawtuckaway Lake in Nottingham.

DENY PERMIT

Impact 632 square feet of bank along 15.8 feet of shoreline to construct an elevated beach with 4 foot wide stairs to the lake on an average of 80 feet of frontage along Pawtuckaway Lake in Nottingham.

With Findings:

Standards for Approval

1. Pursuant to RSA 483-B:3, Consistency Required, I, all state agencies shall perform their responsibilities in a manner consistent with the intent of RSA 483-B. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of RSA 483-B.
2. Pursuant to RSA 483-B:9, Minimum Shoreland Protection Standards, (a) (2) (D) (v) the department shall not approve any application that would result in a combined vegetation score of less than the minimum score required where the segment initially meets the minimum score or would result in any reduction of the point score where the segment does not initially meet the minimum score.
3. This project is classified as a minor project per Rule Env-Wt 303.03, (g), projects that involve less than 20 cubic yards of dredge from within public waters.

Findings of Fact

1. On October 1, 2019 the NH Department of Environmental Services received an application for the filling of 632 square feet of bank along 15.8 feet of shoreline in order to construct an elevated beach on property identified as lot #46 on Nottingham Tax Map 68 which abuts Pawtuckaway Lake.
2. On November 12, 2019, the Department issued a Request for More Information Letter to the applicant notifying them that, among other things, the proposed work would remove vegetation and replantings that were required under previously issued Shoreland Impact Permit #2018-02112 and that the proposed beach impacts could not be permitted they would result in a removal of vegetation in excess of that which was allowed under RSA 483-B
3. The November 12, 2019 Letter requested that the Applicant amend Shoreland Impact Permit #2018-02112 such that the replanting would be relocated to accommodate the proposed beach while still meeting the minimum vegetation requirements of RSA 483-B:9, V.
4. On December 13, 2019 the Department received a response to the November 12, 2019 Letter. This response did not include the requested amendment to Shoreland Impact Permit #2018-02112.
5. On February 3, 2020, the Department Notified the applicant that, among other things, the requested amendment to the Shoreland Impact Permit had not been received and was still outstanding.
6. On March 9, 2020, the Department received an amended Shoreland impact plan showing revised ground cover planting areas to accommodate the construction of the proposed beach.
7. On April 1, 2020, the Department approved an amendment of Shoreland Impact Permit #2018-02112.
8. The proposed beach footprint still overlaps the required sapling plantings and portions of the required ground cover plantings necessary for the property to maintain compliance with RSA 483-B:9, (a) (2) (D).

Rulings in Support of the Decision

1. The project as proposed would result in a combined vegetation score which was either, less than the minimum score required where the segment had previously met the minimum score, or a reduction of the point score where the segment did not initially meet the minimum score, and therefore, department shall not approve the application pursuant to RSA 483-B:9, (a) (2) (D) (v).
2. The project would fail to meet RSA 483-B:9, V, (a), and therefore, issuance of the Wetlands permit is prohibited by RSA 483-B:3, I.

PERMIT CATEGORY: MINIMUM IMPACT PROJECT

2014-00754 OWNER:

OWNER: READ, ELIZABETH/LAWTON

CITY: MEREDITH WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Request permit time extension to after-the-fact approval to retain 2 seasonal personal watercraft lifts and repair 57 linear feet of retaining wall "in kind" on an average of 79 ft. of frontage along Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

No comments from Con Com by May 06, 2014

APPROVE TIME EXTENSION

After-the-fact approval to retain 2 seasonal personal watercraft lifts and repair 57 linear feet of retaining wall "in kind" on an average of 79 ft. of frontage along Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management revision dated October 24, 2014, as received by the NH Department of Environmental Services (DES) on March 04, 2015.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. All seasonal structures shall be removed for the non-boating season.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2020-00201 OWNER: NEVILLE, AMY/RICHARD

CITY: SUNAPEE WATERBODY: MOUNTAIN VIEW LAKE

Requested Action:

Replace existing 6 foot x 30 foot seasonal pier, remove water access steps and replace with stairs constructed over the bank, repair two existing decks with pre-cast footings piers within the original footprint on frontage along Mountain View Lake in Sunapee.

APPROVE PERMIT

Replace existing 6 foot x 30 foot seasonal pier, remove water access steps and replace with stairs constructed over the bank,

repair two existing decks with pre-cast footings piers within the original footprint on frontage along Mountain View Lake in Sunapee.

With Conditions:

1. All work shall be done in accordance with plans by Greenline Property Services, LLC., dated January 11, 2020 and as received by the NH Department of Environmental Services (NHDES) on February 6, 2020 as required pursuant to Env-Wt 307.16.
2. This permit shall not be effective until it has been recorded in the Sullivan County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision as required pursuant to Env-Wt 314.02.
4. All docking facilities shall be at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
5. The seasonal dock shall be installed after ice-out and removed prior to ice-in accordance with Env-Wt 513.22(b)(1).
6. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).
7. All portions of the proposed deck shall be sloped away from any adjacent surface water in accordance with 511.04(e).
8. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
9. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
10. Steps for access to and from a water access structures shall not exceed 6 feet in width and shall be constructed or installed such that all portions of the steps are landward of the normal high, in accordance with Env-Wt 511.04(f).
11. Revegetation of the disturbed area by planting trees, shrubs, and ground covers shall represent the density and species diversity of the existing stand of vegetation removed for the project; and begin at a distance no greater than 5 feet landward from the water access structures footprint, in accordance with Env-Wt 511.05(b).
12. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
14. Water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508, shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction, and removed upon completion of work and the effective stabilization of disturbed surfaces as required pursuant to Env-Wt 307.03(c).
15. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.
16. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas and such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
17. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 513.24(a)(2), for the repair or replacement of an existing legal docking structure.
2. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

2020-00218 OWNER: PINECROFT HOMEOWNER'S ASSOC

CITY: SUNAPEE WATERBODY: SUNAPEE LAKE

Requested Action:

Impact 220 square feet of bank in order to repair 40 linear foot of existing stone retaining wall and install a concrete deadman landward of wall along Lake Sunapee in Sunapee.

APPROVE PERMIT

Impact 220 square feet of bank in order to repair 40 linear foot of existing stone retaining wall and install a concrete deadman landward of wall along Lake Sunapee in Sunapee.

With Conditions:

1. All work shall be done in accordance with plans by Greenline Property Services, LLC., as received by the NH Department of Environmental Services (NHDES) on February 10, 2020 as required pursuant to Env-Wt 307.16.
2. Repair of the existing retaining wall shall be conducted in the dry and shall result in no change in height, length, location, or configuration in accordance with 514.07(a)(3).
3. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
4. Water quality control measures capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment shall be selected and implemented as appropriate based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas as required pursuant to Env-Wt 307.03(c).
5. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas and such that there are no discharges in or to fish or shellfish spawning or nursery areas during spawning seasons as required pursuant to Env-Wt 307.04. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year
7. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
8. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:

1. The project is classified as a minimum impact per Administrative Rule Env-Wt 514.07(a)(3), repair of the existing retaining wall conducted in the dry and result in no change in height, length, location, or configuration.

PERMIT CATEGORY: X-EMERGENCY AUTHORIZATION

2019-02397 OWNER: NH DEPT OF TRANSPORTATION

CITY: CRAWFORDS PURCH WATERBODY: Unnamed Stream

Requested Action:

Temporarily impact a total of 240 square feet of bank and surface water to replace a 60 foot x 42 inch culvert within the same

footprint and same size. Stabilize the inlet and outlet with stone.

CONFIRM EMERGENCY AUTHORIZATION

Temporarily impact a total of 240 square feet of bank and surface water to replace a 60 foot x 42 inch culvert within the same footprint and same size. Stabilize the inlet and outlet with stone.

PERMIT CATEGORY: SHORELAND STANDARD

2018-02112 OWNER: NICKERSON, LAURIE/STEPHEN

CITY: NOTTINGHAM WATERBODY: PAWTUCKAWAY POND

Requested Action:

The applicant requests that the permit be amended to Allow replanting of alternative area within the waterfront buffer.

APPROVE AMENDMENT

Impact 5,230 square feet (SF) of protected shoreland in order raze and replace existing primary structure and install a septic system, well and drywell.

With Conditions:

1. Amend Conditions to Read:
2. All work shall be in accordance with revised plans by Scott Bailey revision dated March 5, 2020 as received by the NH Department of Environmental Services (NHDES) on March 9, 2020.
3. The areas of low bush / ground cover to be plant as shown on the approved plan shall be replanted using the species as specified on the Tree Removal and Replanting Plan by Scott Bailey dated July 8, 2018.
4. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
5. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
6. No more than 25.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
7. Native vegetation within an area of at least 1,312 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All plantings in the waterfront buffer located between reference line of Lake Pawtuckaway and 50 feet landward as shown on the approved plans shall be completed prior to June 15, 2020. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other man-made materials.
9. The Owner shall submit a report including a plan and photographs documenting the location, number, size, and species of the the completed plantings by July 1, 2020.
10. The plantings shall be inspected at the beginning and end of the growing season for a period of 2 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
11. At the completion of the 2 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause

or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

15. Any fill used shall be clean sand, gravel, rock, or other suitable material.

16. The proposed drywell shall be installed and maintained to effectively absorb and infiltrate stormwater.

17. Photographs documenting the construction of the proposed drywell shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.

18. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.

19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

20. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

21. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

22. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The proposed reconstruction of the non-conforming primary structure will result in a greater distance from the reference line than the existing primary structure.

2019-01504 OWNER: JT & SC TENN REV TRUSTS 2004

CITY: DEERFIELD WATERBODY: PLEASANT LAKE

Requested Action:

Impact 10,542 square feet of protected shoreland in order to remove the existing primary structure, construct a new primary structure, add a path to the existing deck, conduct grading landward of the primary building setback, and install a septic system and a well.

APPROVE AMENDMENT

Impact 10,542 square feet of protected shoreland in order to remove the existing primary structure, construct a new primary structure, add a path to the existing deck, conduct grading landward of the primary building setback, and install a septic system and a well.

With Conditions:

1. All work shall be in accordance with revised plans by Farwell Engineering Services, LLC, dated March 17, 2020 and received by the NH Department of Environmental Services (NHDES) on March 18, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 16.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,544 square feet within the Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-04006 OWNER: DEFELICE, GEORGE

CITY: TUFTONBORO WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Applicant requests an after-the-fact approval to retain impacts for improvements to 473 square feet of walkway.

APPROVE AFTER THE FACT

Retain impacts for improvements to 473 square feet of walkway.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction dated November 10, 2019 and as revised on January 24, 2020 as received by the NH Department of Environmental Services (NHDES) on March 13, 2020.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
3. Native vegetation within an area of at least 2,255 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
5. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. On January 12, 2020 the Department received an email from Mark Capone, an abutting property owner, stating his concern that there has been too much impervious surface created on the George Defelice property at 5 Little Bear Island, Tuftonboro.
2. Mr. Capone also stated his concern that there was an erosion problem as there are no stormwater controls.
3. The plans and worksheet submitted with this application show the property impervious development cover 19.9% of the Shoreland jurisdictional area.

03/30/2020 to 04/05/2020

4. Per RSA 483-B:9, V(g), no stormwater management is required.

2020-00329 OWNER: LITTLE BAY MARINA & DEVELOPMENT LLC

CITY: DOVER WATERBODY: PISCATAQUA RIVER

Requested Action:

Impact 67,947 square feet of protected shoreland in order to redevelop a site by replacing existing structures with 6 residential buildings, one mixed use building, modify parking area, install drainage structures and utilities.

APPROVE PERMIT

Impact 67,947 square feet of protected shoreland in order to redevelop a site by replacing existing structures with 6 residential buildings, one mixed use building, modify parking area, install drainage structures and utilities.

With Conditions:

1. All work shall be in accordance with plans by Civilworks New England dated January 17, 2020 and received by the NH Department of Environmental Services (NHDES) on February 25, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 60% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 3,645 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00389 OWNER: NORKIEWICZ, JANINE/ROBERT

CITY: BELMONT WATERBODY: SARGENT LAKE

Requested Action:

Impact 7,330 square feet of protected shoreland in order to construct a 2 bedroom structure with an on-site septic system, driveway, and a 6 foot path toward the water.

Waiver Granted: The requirement to reduce the Woodland Buffer per RSA 483-B:9, V, (b), (2), (A) where construction of a septic system will result in less than 25% of woodland buffer to be maintained between 50 feet and 150 feet of the referenced line is waived.

APPROVE PERMIT

Impact 7,330 square feet of protected shoreland in order to construct a 2 bedroom structure with an on-site septic system, driveway, and a 6 foot path toward the water.

Waiver Granted: The requirement to reduce the Woodland Buffer per RSA 483-B:9, V, (b), (2), (A) where construction of a septic system will result in less than 25% of woodland buffer to be maintained between 50 feet and 150 feet of the referenced line is waived.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated February 21, 2020 and received by the NH Department of Environmental Services (NHDES) on March 3, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 18.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 976 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. In accordance with RSA 483-B:9, V, (i) The commissioner shall have the authority to grant waivers from the minimum standards of this section. Such authority shall be exercised if the commissioner deems that strict compliance with the minimum standards of this section will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
2. This property, identified as Lot 21 on Belmont Tax Map 238, is located within 115 feet of the shoreline of the protected shorelands.
3. The project as proposed will result in 976 square feet of natural woodland buffer to remain of the 1,712 square feet required per RSA 483-B:9, V, (b), (2), (A).
4. The strict compliance with the minimum standards of RSA 483-B:9, V, (b), (2), (A) will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state and therefore, the requirements for a waiver to RSA 483-B:9, V, (b), (2), (A) have been met.

03/30/2020 to 04/05/2020

2020-00411 OWNER: KINGSTON, ANDREA/THOMAS

CITY: NOTTINGHAM WATERBODY: PAWTUCKAWAY LAKE

Requested Action:

Impact 10,517 square feet of protected shoreland in order to demolish the primary structure to construct a primary structure with a deck and attached garage, construct a driveway, and install a septic system.

APPROVE PERMIT

Impact 10,517 square feet of protected shoreland in order to demolish the primary structure to construct a primary structure with a deck and attached garage, construct a driveway, and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Roscoe T. Blaisdell dated March 2, 2020 and received by the NH Department of Environmental Services (NHDES) on March 5, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 10.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 4,105 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00415 OWNER: WHEELIS, JOAN

CITY: WAKEFIELD WATERBODY: BALCH POND

Requested Action:

Impact 3,648 square feet of protected shoreland in order to construct a terraced garden with walkways, construct a shed with

pathway, and rebuild deck.

DENY PERMIT

Impact 3,648 square feet of protected shoreland in order to construct a terraced garden with walkways, construct a shed with pathway, and rebuild deck.

With Findings:

Standards for Approval

1. Pursuant to RSA 483-B:3 Consistency Required, I, state and local permits for work within the protected shorelands shall be issued only when consistent with the policies of RSA 483-B.
2. Pursuant to RSA 483-B:9,V,(a)(2)(C) for the Maintenance of the Waterfront Buffer.(C) No natural ground cover shall be removed except as necessary for a foot path to water and access ways as provided under RSA 483-B:9, V(a)(2)(D), (viii) and (ix), for normal maintenance, to protect the waterfront buffer, cutting those portions that have grown over 3 feet in height for the purpose of providing a view, to provide access to natural areas or shoreline, or as specifically approved by the department, pursuant to RSA 482-A or RSA 483-B.
3. Pursuant to RSA 483-B:9,V(a)(2)(D)(v), the department shall approve applications pursuant to RSA 482-A or RSA 483-B that include the planting of trees, saplings, shrubs, and groundcover as necessary to at least maintain either the existing point score or the minimum score required. The department shall not approve any application that would result in a combined vegetation score of less than the minimum score required where the segment initially meets the minimum score or would result in any reduction of the point score where the segment does not initially meet the minimum score.

Findings of Fact

1. On March 6, 2020 the Department received an application for 3,648 square feet of impacts to the protected shoreland along Balch Lake in Wakefield in order to construct a terraced garden with walkways, construct a shed with pathway, and rebuild deck identified as Lot #39 on Wakefield Tax Map 79 (the "Property").
2. All portions of Lot #39 are located entirely within the Shoreland jurisdiction of Waterfront and Woodland Buffers.
3. At the time of the filing of the application no portion of the area of Lot #39 located within the woodland buffer was vegetated with natural woodlands as most of this area is occupied by the primary structure.
4. The application proposes the removal of a majority of the ground cover on the west side of the primary structure to the existing concrete wall.
5. The application proposes a terrace area restricting the continued growth of the proposed 2 remaining trees in Grid #9.
6. There is no provision within RSA 483-B:9,V,(b) which allows the Department to permit the removal of excessive areas of ground vegetation in the waterfront buffer.
7. There is no provision within RSA 483-B:9,V,(a) which allows the Department to permit the detriment of trees that would reduce the tree count below the required minimum score.

Rulings in Support of the Decision

1. The project as proposed fails to maintain the ground cover in the waterfront buffer except removed as necessary for a foot path to water and access ways as provided under RSA 483-B:9, V(a)(2)(D), (viii) and (ix), for normal maintenance, to protect the waterfront buffer as required per RSA 483-B:9 V,(a)(2)(C).
2. The project threatens the continuation of the existing trees to maintain the minimum point score required in each grid per RSA 483-B:9,V(a)(2)(D)(v).
3. Therefore, the granting of a permit is prohibited by RSA 483-B:3, I.

2020-00421 OWNER: SWIST, DANA/DAVID
OWNER: DEVEAU, LOREN

CITY: SUNAPEE WATERBODY: LEDGE POND

Requested Action:

Impact 13,215 square feet of protected shoreland in order to relocate existing primary structure from Lot 21 to Lot 52, rebuild a new house on Lot 21 with associated driveway, landscaping, and sewage disposal system with leachfield beyond 250 feet of the reference line.

APPROVE PERMIT

Impact 13,215 square feet of protected shoreland in order to relocate existing primary structure from Lot 21 to Lot 52, rebuild a new house on Lot 21 with associated driveway, landscaping, and sewage disposal system with leachfield beyond 250 feet of the reference line.

With Conditions:

1. All work shall be in accordance with plans by Pierre J. Bedard, and Associates, P.C. dated March 2, 2020 and received by the NH Department of Environmental Services (NHDES) on March 6, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 18.5% of Lot 21 and 1.8% of Lot 52-2 of the area of the lots within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,835 square feet of Lot 21 and 4,400 of Lot 52-2 within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00424 OWNER: FLYNN, MICHAEL A/JOHN P/DAVID K

CITY: MOULTONBOROUGH WATERBODY: LAKE WINNIPESAUKEE

Requested Action:

Impact 5,500 square feet of protected shoreland in order to remove existing residence and construct a new 26 foot x 36 foot residence with attached decks. Project includes, a 165 square foot patio and a 11 foot x 10.5 foot deck connected to an existing structure.

APPROVE PERMIT

Impact 5,500 square feet of protected shoreland in order to remove existing residence and construct a new 26 foot x 36 foot

residence with attached decks. Project includes, a 165 square foot patio and a 11 foot x 10.5 foot deck connected to an existing structure.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated February 25, 2020 and received by the NH Department of Environmental Services (NHDES) on March 6, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00436 OWNER: GRAY, DAVID/JESSICA

CITY: STODDARD WATERBODY: CENTER POND

Requested Action:

Impact 6,300 square feet of protected shoreland in order to construct a 10 foot wide gravel path, a 16 foot x 20 foot screened structure, 230 square foot patio, and a 4 foot wide path in the waterfront buffer. The proposed perched beach and its access applied to a Wetlands Application.

APPROVE PERMIT

Impact 6,300 square feet of protected shoreland in order to construct a 10 foot wide gravel path, a 16 foot x 20 foot screened structure, 230 square foot patio, and a 4 foot wide path in the waterfront buffer. The proposed perched beach and its access applied to a Wetlands Application.

With Conditions:

1. All work shall be in accordance with plans by Good Earth Land Design dated February 10, 2020 and received by the NH Department of Environmental Services (NHDES) on March 9, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 5.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 4,370 square feet within the Natural Woodland Buffer located between 50 and

03/30/2020 to 04/05/2020

- 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

PERMIT CATEGORY: SEASONAL DOCK SPN

2020-00631 OWNER: DEMARS, RICHARD/SANDRA

CITY: CENTER BARNSTEAD WATERBODY: LOCKE LAKE

Requested Action:

Install a seasonal pier not to exceed 6 foot x 28 foot on frontage along Locke Lake in Center Barnstead.

COMPLETE NOTIFICATION

Install a seasonal pier not to exceed 6 foot x 28 foot on frontage along Locke Lake in Center Barnstead.

PERMIT CATEGORY: FORESTRY SPN

2020-00667 OWNER: CAMP PEMIGEWASSETT

CITY: WENTWORTH WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

TAX MAP# 4; LOT# 6; BLOCK# 6

2020-00669 OWNER: DOONAN FAMILY LLC

CITY: MASON WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
MASON' TAX MAP# G; LOT# 33

2020-00670 OWNER: KENDALL, JAMES

CITY: SWANZEY WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
SWANZEY; TAX MAP# 002; LOT# 003

2020-00681 OWNER: SARGENT, SHIRLEY

CITY: STRAFFORD WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
TAX MAP# 11; LOT(S) 66, 64-1,64-2

2020-00682 OWNER: MEADER, DONALD

CITY: OSSIPEE WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
OSSIPEE; TAX MAP# 3; LOT(S)# 3, 8

PERMIT CATEGORY: UTILITY SPN

2020-00611 OWNER: EVERSOURCE ENERGY

CITY: SOUTH HAMPTON WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
1) ROW inspections.

2020-00634 OWNER: NEW ENGLAND POWER CO

CITY: HOPKINTON WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

1) Equipment repair and maintenance.

2020-00636 OWNER: NEW ENGLAND POWER CO

CITY: WARREN WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

1) Equipment repair and maintenance.

2020-00638 OWNER: NEW ENGLAND POWER CO

CITY: WENTWORTH WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

1) Equipment repair and maintenance.

2020-00639 OWNER: NEW ENGLAND POWER CO

CITY: RUMNEY WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

1) Equipment repair and maintenance.

2020-00640 OWNER: NEW ENGLAND POWER CO

CITY: GROTON WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

1) Equipment repair and maintenance.

2020-00641 OWNER: NEW ENGLAND POWER CO

CITY: HEBRON WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

1) Equipment repair and maintenance.

2020-00642 OWNER: NEW ENGLAND POWER CO

CITY: ALEXANDRIA WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION

1) Equipment repair and maintenance.

PERMIT CATEGORY: RR1: CULVERT REPLACEMENT OR REPAIR

2020-00662 OWNER: NH DEPT OF TRANSPORTATION

CITY: BARRINGTON WATERBODY: Unnamed Stream

COMPLETE REGISTRATION

In kind replacement of a 24 inch diameter culvert.

PERMIT CATEGORY: RR8: CULVERT INLET/OUTLET MAINTENANCE

2020-00658 OWNER: NHDOT DISTRICT 6

CITY: EPPING WATERBODY: Unnamed Stream

COMPLETE REGISTRATION

Clean out inlet and outlet of a 30 inch diameter culvert.

PERMIT CATEGORY: EXP - EXPEDITED TIMELINE

2020-00323 OWNER: HOME CRAFTERS LLC

CITY: LEBANON WATERBODY: Unnamed Wetland

Requested Action:

Dredge and fill 2,457 square feet within palustrine emergent wetlands to install a 36 inch diameter by 20 foot long culvert for a residential driveway crossing.

APPROVE PERMIT

Dredge and fill 2,457 square feet within palustrine emergent wetlands to install a 36 inch diameter by 20 foot long culvert for a residential driveway crossing.

With Conditions:

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated December 9, 2019 by Paton Land Surveying, as received by NHDES on March 25, 2020.
2. In accordance with Env-Wt 524.05(a), residential, commercial, or industrial development projects in non-tidal wetlands shall submit a construction notice with the department at least 48 hours prior to commencing work.
3. In accordance with Env-Wt 307.03(c)(4), water quality control measures shall be capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment.
4. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
5. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.
6. In accordance with Env-Wt 307.11(b), limits of fill shall be clearly identified prior to commencement of work and controlled in accordance with Env-Wt 307.03 to ensure that fill does not spill over or erode into any area where filling is not authorized.
7. In accordance with Env-Wt 307.12(a), within 3 days of final grading or temporary suspension of work in an area that is in or adjacent to surface waters, all exposed soil areas shall be stabilized by seeding and mulching, if during the growing season; or mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1 if not within the growing season.
8. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
9. In accordance with Env-Wt 310.03(a), no other work shall be done on the subject property pursuant to another expedited permit (EXP) or a statutory permit-by-notification (SPN) for a period of 12 months from the date the EXP was issued unless the property owner submits information, including a plan, to demonstrate that the proposed work is wholly unrelated to and separate from the work already done under the EXP or SPN; and the proposed work and the work already done under the EXP or SPN do not, when combined, constitute a project for which a standard permit is required.

With Findings:

1. This is classified as an expedited minimum impact project per Rule Env-Wt 524.06(b), as the project meets all of the criteria to construct a new subdivision of 3 lots or less.
2. Per Rule Env-Wt 204.05(a), the department has granted a waiver to the requirement established in Rule Env-Wt 306.05(a)(1) to have all wetlands delineated, and it will not extend the duration of the wetlands permit. Granting the waiver will not result in an avoidable adverse impact on the environment or natural resources of the state, public health or public safety, on abutting properties that is more significant than that which would result from complying with the rule or a statutory requirement being waived, and any benefit to the public or the environment from complying with the rule is outweighed by the operational or economic costs to the applicant. The Certified Wetland Scientist reviewed the property and delineated sufficient area to demonstrate the location of the narrowest crossing.
3. Per Rule Env-Wt 310.01(h), the application for this expedited permit (EXP) includes a signed statement from the municipal conservation commission certifying that the conservation commission waives its right to intervene on the project.
4. Per Rule Env-Wt 310.01(i), the proposed project is within the Mascoma River Local Advisory Committee (LAC) jurisdiction, and the application for this expedited permit (EXP) includes a signed statement from the LAC certifying that the LAC waives its right to intervene on the project.

PERMIT CATEGORY: SMALL MOTOR MINERAL DREDGE

2020-00671 OWNER: HENDERSHOT, GORDON

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
TWIN RIVER CAMPGROUND; BATH, WILD AMMONOOSUC

2020-00684 OWNER: EARL, GEORGE

CITY: (ALL TOWNS) WATERBODY: Unnamed Stream

COMPLETE NOTIFICATION
RTE 112, BATH, WILD AMMONOOSUC